

**ONE HUNDRED AND SIXTEENTH LEGISLATIVE DAY  
THURSDAY, MAY 1, 2003**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Julianne Peters, Page.

**Approval of Journal**

May 1, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Fifteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

April 30, 2003

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 410, H 411, H 412, H 413, H 414, H 418, H 419, and H 422**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

April 30, 2003

Mr. Speaker:

I return herewith enrolled **H 454** which has been signed by the President.

WOOD, Secretary

Enrolled **H 454** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 30, 2003

Mr. Speaker:

I transmit herewith **S 1192, S 1194, S 1195, S 1199, S 1200,**

and **S 1201** which have passed the Senate.

WOOD, Secretary

**S 1192, S 1194, S 1195, S 1199, S 1200, and S 1201** were filed for first reading.

April 30, 2003

Mr. Speaker:

I return herewith **H 264**, as amended in the Senate, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

**H 264**, as amended in the Senate, as amended in the Senate, was ordered held at the Desk.

**Report of Standing Committees**

May 1, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 453** and **H 383**, as amended in the Senate.

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **H 453** and **H 383**, as amended in the Senate, would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 464  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AUTHORIZING THE USE OF FEDERAL FUNDS TO PURCHASE THE ST. ANTHONY WORK CAMP; AUTHORIZING THE USE OF FEDERAL FUNDS TO EXPAND THE SOUTH BOISE WOMEN'S CORRECTIONAL CENTER; DECLARING FINDINGS OF THE LEGISLATURE; PROVIDING CONTINGENCY FUNDING; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2003; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**H 464** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1192, S 1194, S 1195, S 1199, S 1200, and S 1201**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 455**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**H 456**, by Appropriations Committee, was read the second time by title and filed for third reading.

**SJM 104**, by State Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mrs. Bell asked unanimous consent that **H 424**, **H 425**, **H 426**, **H 427**, **H 429**, **H 433**, **H 435**, **H 436**, **H 437**, **H 439**, **H 440**, **H 442**, **H 443**, **H 444**, and **H 450** be returned to the Appropriations Committee. There being no objection, it was so ordered.

At this time, the Speaker took the Chair.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

May 1, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1176** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1176** and, when so signed, ordered it returned to the Senate.

May 1, 2003

Mr. Speaker:

I return herewith **H 428**, **H 461**, **H 457**, **H 459**, **H 460**, and **H 462** which have passed the Senate.

WOOD, Secretary

**H 428**, **H 461**, **H 457**, **H 459**, **H 460**, and **H 462** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

May 1, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 464**.

FIELD(18), Chairman

**H 464** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1194** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1194** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Bieter, Denney, Henbest, Langhorst. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1194** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1194** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ring, Roberts, Robison, Rydalch, Sali, Schaefer, Skippen, Smylie, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 50.

NAYS -- Boe, Clark, Cuddy, Edmunson, Henbest, Jaquet, Jones, Langhorst, Martinez(Echohawk), McGeachin, Naccarato, Ridinger, Ringo, Sayler, Shepherd(Buell), Shirley, Smith(30), Smith(24), Snodgrass, Trail. Total -- 20.

Total -- 70.

Whereupon the Speaker declared **S 1194** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 455** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 455** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Bieter, Denney, Henbest, Langhorst. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 455** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 455**. There being no objection, it was so ordered.

Pursuant to Rule 38(3), Mr. Echohawk disclosed a conflict of interest regarding **H 455**.

Mr. Echohawk asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 455**. There being no objection, it was so ordered.

The question being, "Shall **H 455** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Bedke, Bell, Block, Cuddy,

Denney, Harwood, McGeachin, Meyer, Miller, Moyle, Raybould, Roberts, Smith(24), Stevenson, Tilman, Wood, Mr. Speaker. Total -- 18.

NAYS -- Andersen(Guyon), Barrett, Bauer, Bieter, Black, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McKague, Mitchell, Naccarato, Nielsen, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills. Total -- 52.

Total -- 70.

Whereupon the Speaker declared **H 455** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1195** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1195** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Bieter, Denney, Henbest, Langhorst. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1195** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1195** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett,

Bauer, Bedke, Bell, Bieter, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Kellogg, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Boe, Henbest. Total -- 2.

Absent and excused -- Crow, Jones, Kulczyk, Raybould. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1195** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1199** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1199** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Bieter, Denney, Henbest, Langhorst. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1199** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1199** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bedke, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Kellogg, Lake, Langford, Langhorst, Martinez(Echohawk), Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Shepherd(Buell), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Bauer, Crow, Eberle, Harwood, Kulczyk, McGeachin, McKague, Sali, Schaefer. Total -- 9.

Absent and excused -- Barrett, Bell, Jones, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1199** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1200** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1200** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Bieter, Denney, Henbest, Langhorst. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1200** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

At this time, Mr. Tilman took the Chair.

At this time, the Speaker took the Chair.

The question being, "Shall **S 1200** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Douglas, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Langford, Langhorst, Martinez(Echohawk), Meyer, Mitchell, Naccarato, Nielsen, Raybould, Ring, Ringo, Robison, Rydalph, Sayler, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 52.

NAYS -- Andersen(Guyon), Barrett, Crow, Eberle, Edmunson, Harwood, Kulczyk, Lake, McGeachin, McKague, Miller, Moyle, Ridinger, Roberts, Sali, Schaefer, Wood. Total -- 17.

Absent and excused -- Denney. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1200** passed the House. Title was approved and the bill was ordered returned to the Senate.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 465 BY APPROPRIATIONS COMMITTEE AN ACT**

RELATING TO A BALANCED BUDGET; STATING FINDINGS OF THE LEGISLATURE REGARDING THE FINANCIAL SITUATION FOR FISCAL YEAR 2004; DIRECTING THE STATE TREASURER TO DEPOSIT CERTAIN TOBACCO SETTLEMENT MONEYS INTO THE GENERAL FUND; TRANSFERRING MONEYS FROM THE CAPITOL ENDOWMENT INCOME FUND TO THE GENERAL FUND; TRANSFERRING MONEYS FROM THE MULTISTATE TAX COMPACT FUND TO THE GENERAL FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### **HOUSE BILL NO. 466 BY APPROPRIATIONS COMMITTEE AN ACT**

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2004; PROVIDING A DESCRIPTION OF THE DIVISION OF CHILDREN'S PROGRAMS AND PROVIDING THE AMOUNTS TO BE EXPENDED; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING MONEYS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2004; DIRECTING THAT \$4,700,000 OF THE MONEYS ACCRUING PURSUANT TO

SECTIONS 63-2506 AND 63-2552A, IDAHO CODE, AND SUCH OTHER MONEYS WHICH MAY BECOME AVAILABLE PURSUANT TO SECTION 63-7439, IDAHO CODE, BE EXPENDED FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE DISTRIBUTION OF FUNDS FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO FEATURES OF THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THAT \$3,300,000 BE USED FOR THE LITERACY PROGRAMS AND EXPRESSING LEGISLATIVE INTENT THAT THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION COORDINATE CERTAIN PROGRAMS; DIRECTING THAT \$4,475,000 BE ALLOCATED FOR PROGRAMS FOR STUDENTS WITH NON-ENGLISH OR LIMITED-ENGLISH PROFICIENCY; GRANTING AUTHORITY TO TRANSFER FUNDS BETWEEN THE FIVE DIVISIONS OF THE EDUCATIONAL SUPPORT PROGRAM BUDGET; DIRECTING THAT \$450,000 BE DISTRIBUTED TO THE IDAHO DIGITAL LEARNING ACADEMY; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**H 465** and **H 466** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

#### **Report of Standing Committees**

May 1, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 428**, **H 461**, **H 457**, **H 459**, **H 460**, and **H 462**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 428**, **H 461**, **H 457**, **H 459**, **H 460**, and **H 462**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

#### **Motions, Memorials, and Resolutions**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1201** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1201** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mrs. Boe.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Denney, Ellsworth, Stevenson.  
Total -- 3.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1201** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

Mr. Gagner asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1201**. There being no objection, it was so ordered.

The question being, "Shall **S 1201** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Eberle, Kulczyk, McKague, Moyle.  
Total -- 5.

Absent and excused -- Crow, Denney, Sali, Wood.  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1201** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 456** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State

of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 456** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mrs. Boe.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Denney, Ellsworth, Stevenson.  
Total -- 3.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 456** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 456**. There being no objection, it was so ordered.

Pursuant to Rule 38(3), Mr. Sayler disclosed a conflict of interest regarding **H 456**.

Pursuant to Rule 38(3), Mr. Snodgrass disclosed a conflict of interest regarding **H 456**.

Pursuant to Rule 38(3), Mr. Edmunson disclosed a conflict of interest regarding **H 456**.

The question being, "Shall **H 456** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Bradford, Collins, Crow, Deal, Denney, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Skippen, Stevenson, Tilman, Wood, Mr. Speaker. Total -- 39.

NAYS -- Andersen(Guyon), Bieter, Boe, Bolz, Campbell,

Cannon, Clark, Cuddy, Douglas, Edmunson, Henbest, Jaquet, Jones, Langhorst, Martinez(Echohawk), Meyer, Miller, Mitchell, Naccarato, Ridinger, Ringo, Robison, Sayler, Shepherd(Buell), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills. Total -- 31.

Absent and excused -- None.

Paired Vote:

AYE -- Denney. NAY -- Trail.  
(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 456** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

May 1, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 465** and **H 466**.

FIELD(18), Chairman

**H 465** and **H 466** were filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

May 1, 2003

Mr. Speaker:

I return herewith enrolled **H 428**, **H 461**, **H 457**, **H 459**, **H 460**, and **H 462** which have been signed by the President.

WOOD, Secretary

Enrolled **H 428**, **H 461**, **H 457**, **H 459**, **H 460**, and **H 462** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Friday, May 2, 2003. Seconded by Mrs. Boe. Motion carried.

Whereupon the Speaker declared the House adjourned at 5:38 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk